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1 Christian Holinka 162
 2 the rooms that you specifically worked in where you
 3 say the Bunsen burners were?
 4 A Well, one room they may have converted into
 5 offices, I believe, and one other laboratory I saw
 6 still was used as a laboratory.
 7 Q During the time that you worked there as
 8 the assistant professor, did the physical layout of
 9 the Bunsen burners change in any way?
 10 A No.
 11 Q Were any added or removed during that time
 12 period?
 13 A To the best of my knowledge, no.
 14 Q And what did you use the mittens for there?
 15 A To handle hot glassware.
 16 Q Associated with the burners?
 17 A Associated with the burners and associated
 18 with hot glassware from drying ovens.
 19 Q Are there any other ways that you believe
 20 that you were exposed to asbestos from working at
 21 Mount Sinai as an assistant professor in this lab
 22 besides those we have talked about?
 23 A Not to my knowledge, no.
 24 Q During the time that you worked there, were
 25 you aware of any program of asbestos abatement or

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1 Christian Holinka 163
 2 removal of any products from the 20th floor?
 3 A No, I was not.
 4 Q Or within the Annenberg Building itself.
 5 A No, I was not.
 6 Q Did the physical appearance of the pads
 7 from the last time you used them seem substantially
 8 similar to that when you first encountered them years
 9 ago?
 10 A They were substantially similar.
 11 Q Were there any physical differences that
 12 you could note from the last time that you used them
 13 at Mount Sinai from the first time that you used them?
 14 A No.
 15 Q Why did you leave Mount Sinai?
 16 A May I make an additional remark during that
 17 period?
 18 Q Yes, sir.
 19 A If it's relevant. I had for two years an
 20 adjunct professorship at NYU entirely teaching and for
 21 one year at Fordham University entirely teaching.
 22 Q We have some records of your Social
 23 Security printout and they indicate that you were at
 24 Fordham apparently in 1978, 1979 and 1981; does that
 25 sound about right?

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1 Christian Holinka 164
 2 A It does, yes. They know it better than I.
 3 Q Well, that's fair enough. Let me ask you
 4 with respect to any of the time that you were at
 5 Fordham, all of those jobs would have been of an
 6 academic teaching nature?
 7 A That's correct.
 8 Q And not any lab work?
 9 A No.
 10 Q And do you allege any asbestos exposure
 11 during the time you were working at Fordham?
 12 A Not to my knowledge.
 13 Q Was this the campus that was up in the
 14 Bronx?
 15 A No. It was the Lincoln Center Building.
 16 Q And you said you were also at NYU --
 17 A Yes.
 18 Q -- for a period of time teaching classes?
 19 A Yes.
 20 Q The records we have indicate that you may
 21 have been there in 1979 and 1980 and then again in
 22 1987; does that sound about right?
 23 A That sounds about correct, yes.
 24 Q With respect to all of those employments,
 25 were they all of an academic teaching nature?

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1 Christian Holinka 165
 2 A That's correct, yes.
 3 Q Do you believe that you were exposed to
 4 asbestos in any way during any of your employments
 5 with New York University?
 6 A Not to my knowledge.
 7 Q As long as we have this, let me just go
 8 back a second and go over some other employers if I
 9 may. Do you remember working for a place called The
 10 Continental House back in the 1950's? A real brief
 11 employment.
 12 A The Continental House, that was the
 13 Commodore Hotel.
 14 Q That is at least what you associate it
 15 with.
 16 A Yes.
 17 Q Do you remember working for someone called
 18 Charles Shaw in about 1959?
 19 A No, I don't.
 20 Q We have an address of Indianapolis,
 21 Indiana.
 22 A That's the year I got out of the Army, I
 23 worked at Booth Memorial.
 24 Q It does not ring any bells?
 25 A No.

<p style="text-align: right;">Page 110</p> <p>1 Christian Holinka 166</p> <p>2 Q Did you ever work for the Board of</p> <p>3 Education for the City of New York in the late 1970's?</p> <p>4 A No.</p> <p>5 Q Or you do not remember it at least if you</p> <p>6 did.</p> <p>7 A I would remember if I did.</p> <p>8 Q Why did you leave Mount Sinai?</p> <p>9 A It was increasingly more difficult to</p> <p>10 obtain grant support at the time and on the basis of</p> <p>11 my numerous publications in reproductive medicines, I</p> <p>12 applied to the pharmaceutical industry.</p> <p>13 Q When did you start publishing articles with</p> <p>14 respect to reproductive literature?</p> <p>15 A Well, in the broader sense reproductive</p> <p>16 biology, my first publication at Berkeley, I think it</p> <p>17 appeared in 1969.</p> <p>18 Q And what did it appear in?</p> <p>19 A Endocrinology. It's a professional</p> <p>20 journal.</p> <p>21 Q Let's take the time period from that up</p> <p>22 until when you left Mount Sinai, approximately how</p> <p>23 many articles did you publish or have published?</p> <p>24 A Well, original research, probably '55.</p> <p>25 Q Were they all generally associated with</p>	<p style="text-align: right;">Page 112</p> <p>1 Christian Holinka 168</p> <p>2 A And that was in Climacteric, which is an</p> <p>3 international journal for post-menopausal medicine.</p> <p>4 Q Have you ever written any articles with</p> <p>5 respect to the subject of asbestos or any asbestos</p> <p>6 related illnesses or diseases?</p> <p>7 A No.</p> <p>8 Q When you were at Mount Sinai, were you</p> <p>9 aware of any physicians there who had a specialty in</p> <p>10 pneumonconioses or other breathing related illnesses?</p> <p>11 A I was not.</p> <p>12 Q Since your time at Mount Sinai, have you</p> <p>13 become aware of any physicians there who do have such</p> <p>14 specialties?</p> <p>15 A Well, now I know or a few years ago</p> <p>16 Dr. Selikoff, who is a major name or was a major name</p> <p>17 in the field, but there was no interaction.</p> <p>18 Q Was he there when you were there?</p> <p>19 A I believe he was. I don't know when he</p> <p>20 retired.</p> <p>21 Q In any event your work there had nothing to</p> <p>22 do with whatever work he was doing?</p> <p>23 A None.</p> <p>24 Q Or any work that was being done by his</p> <p>25 assistants or adjunct or support staff.</p>
<p style="text-align: right;">Page 111</p> <p>1 Christian Holinka 167</p> <p>2 reproductive biology?</p> <p>3 A They were all associated with reproductive</p> <p>4 biology ranging from hormone metabolism to</p> <p>5 physiological changes in animals.</p> <p>6 Q What types of journals or publications did</p> <p>7 these articles show up in?</p> <p>8 A Professional journals, the Journal of</p> <p>9 Steroid Biochemistry and Molecular Biology, Biology of</p> <p>10 Reproduction. There was one or two more I don't</p> <p>11 remember at the moment.</p> <p>12 Q Since your time at Mount Sinai, have you</p> <p>13 continued to publish original works?</p> <p>14 A (No verbal response given)</p> <p>15 Q If you do not understand the question, I</p> <p>16 can try to rephrase it.</p> <p>17 A I understand the question but I do not have</p> <p>18 a ready answer. The answer is basically yes.</p> <p>19 Q Would those be articles that would be</p> <p>20 appearing in the same types of journals that you</p> <p>21 mentioned?</p> <p>22 A They were more medically related articles</p> <p>23 or the latest publication came out two, three months</p> <p>24 ago.</p> <p>25 Q What was that in?</p>	<p style="text-align: right;">Page 113</p> <p>1 Christian Holinka 169</p> <p>2 A No.</p> <p>3 Q Who was your next employer after you left</p> <p>4 Mount Sinai then?</p> <p>5 A Organon, Inc.</p> <p>6 Q O-R-G-A-N-O-N?</p> <p>7 A Yes.</p> <p>8 Q And how long did you work for Organon?</p> <p>9 A 1989 to 1992.</p> <p>10 Q What did you do for them?</p> <p>11 A I started as a director in reproductive</p> <p>12 medicine, hormonal replacement therapy and then was</p> <p>13 the head of reproductive medicine research.</p> <p>14 Q And this was, is it fair to say,</p> <p>15 pharmaceutical company that developed medications for</p> <p>16 those types of things?</p> <p>17 A Yes.</p> <p>18 Q Do you have any reason to believe that you</p> <p>19 were exposed to asbestos during the time that you</p> <p>20 worked with Organon?</p> <p>21 A No, I do not.</p> <p>22 Q You did not do any lab work at all of any</p> <p>23 nature?</p> <p>24 A No.</p> <p>25 Q What was your next employer after Organon?</p>

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<p>1 Christian Holinka 170</p> <p>2 A Johnson and Johnson, Robert Wood Johnson</p> <p>3 Pharmaceutical Research Institute.</p> <p>4 Q I'm sorry, backing up to Organon, where did</p> <p>5 you work out of for them?</p> <p>6 A West Orange, New Jersey.</p> <p>7 Q When you worked for Johnson and Johnson,</p> <p>8 where was that?</p> <p>9 A Raritan, New Jersey.</p> <p>10 Q How long did you work for Johnson and</p> <p>11 Johnson?</p> <p>12 A 1992 to '96.</p> <p>13 Q What positions did you hold there for them?</p> <p>14 A Assistant director in Endocrinology and</p> <p>15 metabolism.</p> <p>16 Q And that was the only position?</p> <p>17 A That was the only position.</p> <p>18 Q Do you have any reason to believe that you</p> <p>19 were exposed to asbestos during the time that you</p> <p>20 worked at Johnson and Johnson?</p> <p>21 A No, I have no reason to believe that.</p> <p>22 Q What was your next employer?</p> <p>23 A Kyowa Hakko Kogio.</p> <p>24 Q I have K-Y-O-W-A, right?</p> <p>25 A Yes.</p>	<p>1 Christian Holinka 172</p> <p>2 Johnson and Kyowa, did you receive additional</p> <p>3 compensation for either products you helped develop or</p> <p>4 any other additional incomes besides the salary that</p> <p>5 you would have been earning from these companies?</p> <p>6 A No, I did not.</p> <p>7 Q Did you have any self-employment outside of</p> <p>8 the work that you were doing for these companies?</p> <p>9 A No, I did not.</p> <p>10 Q Your Social Security records indicate</p> <p>11 self-employment in 1992 and 1996.</p> <p>12 A Oh, yeah. May have been -- 1996, that's</p> <p>13 right. Okay, '92, at one point I started out of my</p> <p>14 apartment a small music book journal enterprise which</p> <p>15 was a loss, so I don't consider it as any kind of</p> <p>16 lucrative employment. This is what they may refer to.</p> <p>17 Q We have an indication that you earned</p> <p>18 through self-employment in 1992 almost \$70,000, could</p> <p>19 that be --</p> <p>20 A No, that's, that's --</p> <p>21 Q -- accurate?</p> <p>22 A That's not correct, no. And that was in</p> <p>23 1992.</p> <p>24 Q Yes, sir.</p> <p>25 A No.</p>
Page 115	Page 117
<p>1 Christian Holinka 171</p> <p>2 Q Do you have any idea how to spell --</p> <p>3 A The rest? I should know. H-A-K-K-O and</p> <p>4 new word Kogio; K-O-G-I-O.</p> <p>5 Q That's close enough if that's not right.</p> <p>6 How long did you work for Kyowa?</p> <p>7 A Nine months.</p> <p>8 Q What did you do for them?</p> <p>9 A Clinical research.</p> <p>10 Q Did you hold a position?</p> <p>11 A Director of pharmaceutical development.</p> <p>12 Q Do you believe that you were exposed to</p> <p>13 asbestos as there?</p> <p>14 A No, I don't.</p> <p>15 Q During the time that you were employed</p> <p>16 by --</p> <p>17 A I should say I don't believe so. I don't</p> <p>18 know whether I was but I don't think so.</p> <p>19 Q Nothing as you sit here today comes to you</p> <p>20 and says maybe I was exposed through this?</p> <p>21 A In this case?</p> <p>22 Q Yes, in this case right here.</p> <p>23 A I do not believe so, no.</p> <p>24 Q Now, during the time that you worked for</p> <p>25 these last few outfits, Organon and Johnson and</p>	<p>1 Christian Holinka 173</p> <p>2 Q In 1996 after -- well, why did you leave</p> <p>3 Kyowa?</p> <p>4 A No, in 1992, that is the end period at</p> <p>5 Organon and I -- wait a minute. It could be correct</p> <p>6 because my negotiations with Johnson and Johnson took</p> <p>7 a few months and head of Organon asked me to stay on</p> <p>8 as a consultant.</p> <p>9 Q I see.</p> <p>10 A So, I stand corrected, it could be correct,</p> <p>11 yes.</p> <p>12 Q So, though it would be technically, perhaps</p> <p>13 in terms of the IRS, self-employment it was consulting</p> <p>14 work for Organon in 1992?</p> <p>15 A Yes. After I had formerly resigned.</p> <p>16 Q And why did you leave Kyowa?</p> <p>17 A Johnson and Johnson phoned me whether I</p> <p>18 would want to do full-time consulting for them, both</p> <p>19 at Raritan and in Europe in their international</p> <p>20 division in Switzerland.</p> <p>21 Q Did that seem like an opportunity you</p> <p>22 wanted to take?</p> <p>23 A Yes.</p> <p>24 Q And did you take it?</p> <p>25 A I took that. And also this was my field,</p>

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1 Christian Holinka 174
 2 this is where my authority lay, my knowledge and so
 3 forth.
 4 Q And have you engaged in this consulting
 5 arrangement with Johnson and Johnson since 1996?
 6 A No.
 7 Q How long were you a consultant for Johnson
 8 and Johnson?
 9 A I had a number of other clients. This is
 10 going to be difficult to answer because I worked by
 11 project. The full-time period lasted about two years.
 12 Q When you were exclusively or primarily
 13 supporting Johnson and Johnson?
 14 A At that time, yes. Unless you find
 15 something else there, those smaller time periods are
 16 sometimes difficult to recall.
 17 Q And since that two year or so period, have
 18 you done consulting work for a variety of different
 19 clients?
 20 A Yes.
 21 Q Let's say in 2005 can you give me an idea
 22 of who the clients were that you primarily consulted
 23 for?
 24 A For that specific year I could not but for
 25 the overall period that I was working independent, I

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1 Christian Holinka 175
 2 have been a consultant for Organon after this period
 3 immediately following my employment. I have been
 4 consulting and still am consulting for Wyeth
 5 Pharmaceuticals. I have been and still am
 6 consulting for Pantarhei, I will spell that;
 7 P-A-N-T-A-R-H-E-I, Bioscience. It's a Dutch company.
 8 I have been consulting for Serrol. I have a feeling
 9 I'm missing something.
 10 Q This would be one of those times if it
 11 comes to you, would you tell us later?
 12 A Yes. I have been consulting for Ortho also
 13 but that's Johnson and Johnson.
 14 Q On any of those consulting jobs that you
 15 have been on since 1996, do you have any reason to
 16 believe you were exposed to asbestos?
 17 A I have no reason to believe so.
 18 Q In 2005 do you have an understanding as to
 19 approximately how much money you earned through the
 20 consulting business?
 21 A In 2005 I would guess about --
 22 MR. DARCHE: Don't guess.
 23 A I would estimate about --
 24 MR. DARCHE: Objection. We are turning
 25 over all the lost wages, so --

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1 Christian Holinka 176
 2 MR. SCHAFFER: I am entitled to probe his
 3 memory about this because I have a series of
 4 questions that follow in relation to it.
 5 MR. DARCHE: If he knows he knows but if he
 6 doesn't he doesn't.
 7 Q This is one of those times, sir, a best
 8 estimate is okay as opposed to down to the penny.
 9 What is your best estimate?
 10 A My best estimate is around \$180,000.
 11 Q In 2006 do you know how much you earned?
 12 A Best estimate about \$100,000.
 13 Q Are you still consulting today?
 14 A Yes.
 15 Q Did you file your 2006 tax return yet?
 16 A No.
 17 Q Besides the consulting work that you do for
 18 these various companies, do you have any other sources
 19 of income?
 20 A I'm getting Social Security and a pension
 21 from J and J, Johnson and Johnson.
 22 Q How much is the pension?
 23 A \$511 monthly.
 24 Q And is the Social Security you receive
 25 standard as opposed to disability?

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1 Christian Holinka 177
 2 A Standard.
 3 Q And how much do you receive through that?
 4 A About \$1,200 a month. And then I have a
 5 pension from Mount Sinai of \$71 a month.
 6 Q Do you doing this consulting work have your
 7 own business or business entity that you refer to
 8 yourself as?
 9 A I have a name, Farm Consult, for my firm.
 10 I do not have any employees.
 11 Q Is that incorporated?
 12 A No.
 13 Q Is it any sort of a formal business
 14 association or is it more like doing business as?
 15 A I registered it in, I don't know, either
 16 the City or the County of New York. I believe the
 17 County of New York.
 18 Q When did you register it?
 19 A In 1996 or '97.
 20 Q And is the operating address that you used
 21 on the registration where you live?
 22 A I believe so, I'm not sure.
 23 Q Has it ever had any physical offices or
 24 space separate from where you live besides perhaps a
 25 mail drop somewhere?

<p style="text-align: right;">Page 122</p> <p>1 Christian Holinka 178</p> <p>2 A Well, I used to work most of the time at my</p> <p>3 condo, a small condo on 7th Avenue but now at my</p> <p>4 apartment.</p> <p>5 Q And my colleague asked you some questions</p> <p>6 about where you currently live, do you own the</p> <p>7 premises where you currently live?</p> <p>8 A No.</p> <p>9 Q Do you own any real estate currently?</p> <p>10 A I own the apartment, the condo on 147th</p> <p>11 Avenue.</p> <p>12 Q Is there a mortgage outstanding on that?</p> <p>13 A No.</p> <p>14 Q Do you currently have a tenant there or</p> <p>15 rent it out?</p> <p>16 A No.</p> <p>17 Q And what do you use that space for, if</p> <p>18 anything?</p> <p>19 A A friend is living in there.</p> <p>20 Q Are there any other jobs that you have held</p> <p>21 in your life that we have not talked about today that</p> <p>22 you can recall?</p> <p>23 A No, there are not.</p> <p>24 Q Are there any other ways that you believe</p> <p>25 you were exposed to asbestos besides those we have</p>	<p style="text-align: right;">Page 124</p> <p>1 Christian Holinka 180</p> <p>2 A Currently not but I did regularly subscribe</p> <p>3 to a whole number of them.</p> <p>4 Q Can you give me an idea about what journals</p> <p>5 you regularly subscribed to?</p> <p>6 A Basic and Clinical Aspects of Reproductive</p> <p>7 Medicine.</p> <p>8 Q Any others?</p> <p>9 A No.</p> <p>10 Q That's it?</p> <p>11 A That's it.</p> <p>12 Q How long did you maintain that</p> <p>13 subscription?</p> <p>14 A Over the years, 20 years, 30 years.</p> <p>15 Q And was --</p> <p>16 A But may I add something?</p> <p>17 Q Yes.</p> <p>18 A I had access to those journals through the</p> <p>19 laboratories, through libraries, through my companies</p> <p>20 that I consulted for, so I read those journals</p> <p>21 regularly.</p> <p>22 Q What journals?</p> <p>23 A Menopause, Climacteric Journal of</p> <p>24 Reproductive Medicine, Fertility Sterility, other</p> <p>25 journals in that area, endocrinologic, gynecologic,</p>
<p style="text-align: right;">Page 123</p> <p>1 Christian Holinka 179</p> <p>2 already discussed today?</p> <p>3 A No, there are not.</p> <p>4 Q Have you told us the names of all of the</p> <p>5 companies that you believe may have some involvement</p> <p>6 with respect to the products that you believe caused</p> <p>7 you asbestos exposure?</p> <p>8 A To my knowledge, yes, I have told you.</p> <p>9 Q Do you have any product catalogs from any</p> <p>10 of the years that you were working either at Sinai or</p> <p>11 any of the other places where you were going to</p> <p>12 school?</p> <p>13 A Do I currently have those?</p> <p>14 Q Yes.</p> <p>15 A No, I don't.</p> <p>16 Q Do you know anybody who has any of these</p> <p>17 catalogs besides and excluding any that might be in</p> <p>18 your attorney's possession?</p> <p>19 A No, I don't.</p> <p>20 Q When you were taking classes in the various</p> <p>21 educations that you have gone through, was the subject</p> <p>22 of asbestos and asbestos health hazards ever</p> <p>23 discussed?</p> <p>24 A No.</p> <p>25 Q Do you subscribe to any medical journals?</p>	<p style="text-align: right;">Page 125</p> <p>1 Christian Holinka 181</p> <p>2 Endocrinology.</p> <p>3 Q Were you ever involved in any litigation</p> <p>4 brought against any of the pharmaceutical companies</p> <p>5 that you worked for, either as a defendant or as a</p> <p>6 witness for the companies?</p> <p>7 MR. DARCHE: I am just going to object to</p> <p>8 that question.</p> <p>9 MR. SCHAFFER: What is the basis?</p> <p>10 MR. DARCHE: Relevance. I am trying to</p> <p>11 think if it was asked at the last deposition</p> <p>12 whether you have ever been deposed before.</p> <p>13 MR. SCHAFFER: My question is a little bit</p> <p>14 different.</p> <p>15 THE WITNESS: May I answer?</p> <p>16 MR. DARCHE: Yes.</p> <p>17 A No, I have not been involved.</p> <p>18 Q When was the first time that you became</p> <p>19 aware that asbestos could cause adverse health</p> <p>20 conditions?</p> <p>21 A Ten years ago, an estimate.</p> <p>22 Q How did you come to learn that?</p> <p>23 A Through the press, television, popular</p> <p>24 media.</p> <p>25 Q Do you associate any particular type of</p>

<p style="text-align: right;">Page 126</p> <p>1 Christian Holinka 182</p> <p>2 event or incident that the press, T.V. or popular</p> <p>3 media was reporting on ten years ago?</p> <p>4 MR. DARCHE: Objection.</p> <p>5 Q In association with asbestos.</p> <p>6 MR. DARCHE: I just object to the form.</p> <p>7 Q You can answer.</p> <p>8 MR. DARCHE: I think the question is --</p> <p>9 MR. SCHAFFER: Ben, please, the question is</p> <p>10 pretty straightforward and it is one that I ask</p> <p>11 at every deposition. And the witness is</p> <p>12 obviously a very intelligent person. If he does</p> <p>13 not understand the question, he will tell me.</p> <p>14 MR. DARCHE: Do you understand the</p> <p>15 question?</p> <p>16 A Would you repeat the question.</p> <p>17 Q You told me that about ten years ago it was</p> <p>18 about that time that you became aware of asbestos and</p> <p>19 health hazards associated with it. When I asked you</p> <p>20 how you responded press, television and popular media,</p> <p>21 your words.</p> <p>22 A Yes.</p> <p>23 Q My question is was there any singular or</p> <p>24 series of events ten years ago that you associated</p> <p>25 with coming to this knowledge about asbestos hazards.</p>	<p style="text-align: right;">Page 128</p> <p>1 Christian Holinka 184</p> <p>2 Q Chronic obstructive pulmonary disease or</p> <p>3 COPD?</p> <p>4 A No.</p> <p>5 Q Asthma?</p> <p>6 A No.</p> <p>7 Q Emphysema?</p> <p>8 A No.</p> <p>9 Q Do you have any allergies?</p> <p>10 A Penicillin.</p> <p>11 Q When did you learn you were allergic to</p> <p>12 Penicillin?</p> <p>13 A About 15 years ago.</p> <p>14 Q Do you have to do anything with respect to</p> <p>15 that, tell your physicians not to prescribe it to you,</p> <p>16 anything like that?</p> <p>17 A They ask routinely about your allergies.</p> <p>18 Q Did you ever smoke, sir?</p> <p>19 A No.</p> <p>20 Q At all.</p> <p>21 A At all, no.</p> <p>22 Q If there is any reference in your medical</p> <p>23 records to previously having smoked, do you have any</p> <p>24 understanding as to why that would be there?</p> <p>25 MR. DARCHE: I am going to object to the</p>
<p style="text-align: right;">Page 127</p> <p>1 Christian Holinka 183</p> <p>2 A No, I don't. I would like to make another</p> <p>3 remark if I may.</p> <p>4 Q Sure.</p> <p>5 A In the course I taught at NYU, there was</p> <p>6 certainly topics of carcinogenesis. To the best of my</p> <p>7 knowledge, I did not include asbestos.</p> <p>8 Q Was that course associated with carcinogens</p> <p>9 relating to reproductive issues?</p> <p>10 A That also, yes, breast cancer.</p> <p>11 MR. DARCHE: Answer the question that he is</p> <p>12 asking you.</p> <p>13 Q That is all I am looking for.</p> <p>14 Is there any additional schooling that you</p> <p>15 have been through that we have not gone over today?</p> <p>16 A No.</p> <p>17 Q Were you ever injured in an on-the-job</p> <p>18 accident in which you filed a worker's compensation</p> <p>19 claim?</p> <p>20 A No, I wasn't.</p> <p>21 Q Have you ever been diagnosed with</p> <p>22 pneumonia?</p> <p>23 A No.</p> <p>24 Q Bronchitis?</p> <p>25 A No.</p>	<p style="text-align: right;">Page 129</p> <p>1 Christian Holinka 185</p> <p>2 form of that question.</p> <p>3 A No. Because it shouldn't be there because</p> <p>4 I never smoked.</p> <p>5 Q You have been seen by a number of doctors</p> <p>6 over the course of your life; is that fair to say?</p> <p>7 A Yes.</p> <p>8 Q Including most recently and perhaps not so</p> <p>9 recently; is that right?</p> <p>10 A Yes.</p> <p>11 Q When these doctors would examine you, would</p> <p>12 they on occasion ask you background questions about</p> <p>13 your past health history, past habits, employment,</p> <p>14 things like that?</p> <p>15 A Yes.</p> <p>16 Q When you were asked those questions, did</p> <p>17 you do your best to answer them truthfully and</p> <p>18 accurately?</p> <p>19 A Yes.</p> <p>20 Q Did you ever intentionally withhold any</p> <p>21 information when you were posed any of those questions</p> <p>22 by any of your doctors?</p> <p>23 A No.</p> <p>24 Q When was the first time in your life that</p> <p>25 you would have been hospitalized for any reason?</p>

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<p>1 Christian Holinka 186</p> <p>2 A Last --</p> <p>3 Q Meaning an overnight stay.</p> <p>4 A In the last year, late July -- I'm sorry,</p> <p>5 August, late to mid-August.</p> <p>6 Q And is that hospitalization in connection</p> <p>7 with what you understand to be your current illness?</p> <p>8 A Yes, it is.</p> <p>9 Q When you were growing up, did you have a</p> <p>10 family doctor or a general practitioner that your</p> <p>11 family would take you to if you were ill?</p> <p>12 A No, I didn't.</p> <p>13 Q When you came to the States, did you</p> <p>14 eventually have a doctor who held that role as family</p> <p>15 doctor or general practitioner?</p> <p>16 A No.</p> <p>17 Q During the time that you were married, did</p> <p>18 you and your wife have anybody that would meet that</p> <p>19 role?</p> <p>20 A No.</p> <p>21 Q When was the first time that you can recall</p> <p>22 going to a doctor for any reason?</p> <p>23 A As a result of a physical for Kyowa, which</p> <p>24 was in 1996. And there was a brief physical when I</p> <p>25 started at Organon and a very brief physical at</p>	<p>1 Christian Holinka 188</p> <p>2 reason such as emergency room or as a result of a car</p> <p>3 accident or anything like that?</p> <p>4 A No, I wasn't.</p> <p>5 Q And up until the time --</p> <p>6 MR. SCHAFFER: Withdrawn.</p> <p>7 Q Had you seen Dr. Meyers before he had</p> <p>8 administered this physical to you as a result of your</p> <p>9 Kyowa employment?</p> <p>10 A No, I had not.</p> <p>11 Q It was as a result of that physical that</p> <p>12 Dr. Meyers ultimately became your family doctor?</p> <p>13 A Yes.</p> <p>14 Q Before Dr. Meyers did you have any family</p> <p>15 doctor or general practitioner or someone you would go</p> <p>16 to if you had a cold or the flu or something like</p> <p>17 that?</p> <p>18 A No.</p> <p>19 Q Do you have copies of any of the physicals</p> <p>20 that were done with respect to your employments at</p> <p>21 Johnson or Kyowa or the other outfit?</p> <p>22 A No.</p> <p>23 Q Did any of the doctors that examined you in</p> <p>24 connection with those three employments do chest</p> <p>25 X-rays?</p>
Page 131	Page 133
<p>1 Christian Holinka 187</p> <p>2 Johnson and Johnson.</p> <p>3 Q Were these physicals that were administered</p> <p>4 by staff doctors for each of those outfits?</p> <p>5 A J and J was a staff doctor. Organon, I</p> <p>6 believe, was a contract physician.</p> <p>7 Q Do you recall who that contract physician</p> <p>8 was?</p> <p>9 A No, I don't.</p> <p>10 Q And was there another employment physical</p> <p>11 that you had to take that you just mentioned for</p> <p>12 Kyowa?</p> <p>13 A Yes.</p> <p>14 Q Was Kyowa a contract physician or someone</p> <p>15 on staff?</p> <p>16 A Yes, he was. Dr. Meyers who is now my</p> <p>17 personal physician.</p> <p>18 Q Was that the first time that you had seen</p> <p>19 Dr. Meyers?</p> <p>20 A Yes.</p> <p>21 Q I want to, sir, have you think about the</p> <p>22 time period of your life from your birth up until</p> <p>23 approximately August or mid-year 2006, excluding</p> <p>24 everything from August '06 forward. During that time</p> <p>25 period were you ever treated in a hospital for any</p>	<p>1 Christian Holinka 189</p> <p>2 A I do not -- Dr. Meyers, no. Johnson and</p> <p>3 Johnson, no. Organon, no.</p> <p>4 Q When was the first time you had a chest</p> <p>5 X-ray?</p> <p>6 A As a child.</p> <p>7 Q And what was that in relation to?</p> <p>8 A Routine chest X-ray.</p> <p>9 Q And was that in Europe or over here in the</p> <p>10 States?</p> <p>11 A That was in Europe.</p> <p>12 Q Do you recall who administered that X-ray?</p> <p>13 A No.</p> <p>14 Q When would have been the next time you had</p> <p>15 a chest X-ray?</p> <p>16 A I believe in the Army. I'm not sure.</p> <p>17 Q The Army required some physical as well; is</p> <p>18 that what you are saying?</p> <p>19 A Oh, yeah.</p> <p>20 Q Let's go past the Army, do you recall</p> <p>21 having another chest X-ray up until the point of, say,</p> <p>22 mid-last year?</p> <p>23 A I don't recall but I'm virtually certain</p> <p>24 no, I did not.</p> <p>25 Q Have you ever been treated in an emergency</p>

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1 Christian Holinka 190
 2 room for any reason?
 3 A Oh, yeah. Once at Mount Sinai.
 4 Q And what happened?
 5 A What happened, I had bad pain in my lower
 6 left and they thought it was a kidney stone. And it
 7 was a long way, I went up to my laboratory, my office,
 8 it was excruciating, painful and then suddenly it went
 9 away. So, I went back downstairs and told them I do
 10 not need anything apparently and they sent me to a
 11 Sinai associated physician whose name I don't recall
 12 for, I believe, a contrast dye just to be sure that
 13 there were no kidney stones and it turned out
 14 negative.
 15 Q So, do you recall having the contrast dye
 16 done?
 17 A Yes, yes, it was done.
 18 Q Do you know how old you were when this
 19 happened? If not that is fine.
 20 A This was in the early 80's.
 21 Q Have you ever had a heavy blow injury to
 22 your chest?
 23 A No.
 24 Q Have you ever broken any ribs or been told
 25 you broke any ribs?

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1 Christian Holinka 191
 2 A As a child on a bike I once fell and they
 3 thought there may be an injury to my rib.
 4 Q And was this while you were in Europe?
 5 A Yes.
 6 Q Outside of that event any other heavy blow
 7 injuries in your chest or potential rib injuries?
 8 A No.
 9 Q Did you notice a change in your health take
 10 place sometime in the last year or so?
 11 A In my general health, no.
 12 Q In any aspect of your health.
 13 A In July I developed some shortness of
 14 breath.
 15 Q And where were you when this occurred?
 16 A I was in Berlin, Germany.
 17 Q On vacation?
 18 A On vacation.
 19 Q Did you have any other symptoms besides the
 20 shortness of breath at that time?
 21 A No.
 22 Q Did you seek medical treatment in Germany
 23 for that?
 24 A Yes, I did.
 25 Q Where did you go?

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1 Christian Holinka 192
 2 A I went to an internist initially.
 3 Q And do you recall the internist's name?
 4 A Yeah. Henrietta Mayer; M-A-Y-E-R.
 5 Q And had you ever seen Dr. Mayer before?
 6 A No.
 7 Q How did you come to go to Dr. Mayer?
 8 A She was across the street from my place.
 9 Q And did Dr. Mayer do any tests?
 10 A She examined me basically with a
 11 stethoscope.
 12 Q Did she make any recommendations as to what
 13 would be the next step?
 14 A Well, she said everything was normal.
 15 Q You were still experiencing the shortness
 16 of breath?
 17 A Yes.
 18 Q So, what did you do next?
 19 A I asked her I would like to go to a physician
 20 to have an X-ray taken and have the physician diagnose
 21 the X-ray.
 22 Q What did she say?
 23 A She referred me immediately.
 24 Q To where?
 25 A To the big university clinic Charite in

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1 Christian Holinka 193
 2 Berlin.
 3 Q And did you have the X-ray there?
 4 A Yes.
 5 Q Do you recall the names of any of the
 6 doctors who treated you?
 7 A Yeah. The person in charge was Professor
 8 Huckauf; H-U-C-K-A-U-F.
 9 Q And besides the X-ray did you have any
 10 other sort of diagnostic tests there?
 11 A No.
 12 Q Were you told the results of the X-ray?
 13 A Yes.
 14 Q What were you told?
 15 A I was told and shown that my right lung was
 16 substantially collapsed, virtually entirely collapsed
 17 and there was pleural fluid in my right chest cavity.
 18 Q And Dr. Huckauf made this report to you?
 19 A Yes.
 20 Q And what, if anything, was recommended for
 21 your next stage of treatment?
 22 A The most immediate recommendation was to
 23 drain the fluid.
 24 Q Was that done in Germany?
 25 A No. I decided to have it done here,

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<p>1 Christian Holinka 194</p> <p>2 immediately flew back.</p> <p>3 Q And when you flew back here, did you see a</p> <p>4 doctor first or did you just go to a hospital?</p> <p>5 A I saw Dr. Meyers.</p> <p>6 Q And did Dr. Meyers administer any tests at</p> <p>7 that time?</p> <p>8 A No, he did not.</p> <p>9 Q Did you have the X-ray from the physician</p> <p>10 in Germany?</p> <p>11 A Yes.</p> <p>12 Q Did he then admit you to have the fluid</p> <p>13 drained?</p> <p>14 A Yes, he did.</p> <p>15 Q Where was that?</p> <p>16 A At Roosevelt.</p> <p>17 Q When did you go in for that procedure?</p> <p>18 A Late August last year.</p> <p>19 Q How long were you treated there?</p> <p>20 A I believe I was in the hospital for two</p> <p>21 nights.</p> <p>22 Q Do you have an understanding as to what</p> <p>23 tests were administered to you during this stay?</p> <p>24 A Routine hospital admission tests, I imagine</p> <p>25 I had a blood test, urinalysis.</p>	<p>1 Christian Holinka 196</p> <p>2 Q Was that the first time you had seen</p> <p>3 Dr. Connory?</p> <p>4 A Yes.</p> <p>5 Q Dr. Connory's first name is Cliff, is that</p> <p>6 right?</p> <p>7 A Yes.</p> <p>8 Q When did Dr. Connory discuss any tests that</p> <p>9 were done on the fluid?</p> <p>10 A Approximately two days later, three days</p> <p>11 later.</p> <p>12 Q And was this at Dr. Connory's office?</p> <p>13 A Yes.</p> <p>14 Q Do you know how much fluid was drained?</p> <p>15 A 2.7 liters, 2,700 milliliters.</p> <p>16 Q What did Dr. Connory report to you about</p> <p>17 the results of the testing done on the fluid?</p> <p>18 A The fluid was negative.</p> <p>19 Q Did he suggest any further course of</p> <p>20 treatment or follow-up testing to be done?</p> <p>21 A Yes.</p> <p>22 Q What was suggested?</p> <p>23 A To take biopsies of several lesions he had</p> <p>24 shown in the X-ray after the fluid had been removed.</p> <p>25 Q Where to your understanding were the</p>
Page 139	Page 141
<p>1 Christian Holinka 195</p> <p>2 Q X-ray, CAT scan, anything like that?</p> <p>3 A Yes, X-ray.</p> <p>4 Q Did you have the fluid drained at that</p> <p>5 time?</p> <p>6 A Yes. Dr. Connory took X-rays and I was</p> <p>7 there for two surgical procedures, the initial was to</p> <p>8 drain the fluid.</p> <p>9 Q Were both surgical procedures done during</p> <p>10 this two night stay?</p> <p>11 A No. There was another, another operation.</p> <p>12 Q I want to keep it compartmentalized if I</p> <p>13 could.</p> <p>14 A Okay, sorry.</p> <p>15 Q We will get through it all, it is just</p> <p>16 easier to do it in this fashion.</p> <p>17 The first two night stay that you were</p> <p>18 there approximately two nights, was the fluid drained</p> <p>19 at that point?</p> <p>20 A Yes.</p> <p>21 Q And then at some point did somebody report</p> <p>22 the results of any testing done on the fluid to you?</p> <p>23 A Yes, they did.</p> <p>24 Q And was that Dr. Connory?</p> <p>25 A Dr. Connory.</p>	<p>1 Christian Holinka 197</p> <p>2 lesions located?</p> <p>3 A In the visceral pleura, the pleura that</p> <p>4 lines the lung and I believe one in the diaphragm.</p> <p>5 Q Did the removal of the fluid ease your</p> <p>6 breathing problems?</p> <p>7 A Yes.</p> <p>8 Q Did you ultimately go in to have the</p> <p>9 procedures that were recommended to you by</p> <p>10 Dr. Connory?</p> <p>11 A Yes.</p> <p>12 Q And when did that take place?</p> <p>13 A About two weeks after the first operation.</p> <p>14 Q And were you admitted overnight for that?</p> <p>15 A Yes.</p> <p>16 Q How long was that admission?</p> <p>17 A I believe it was one night.</p> <p>18 Q And to your understanding were they able to</p> <p>19 obtain the biopsies?</p> <p>20 A Yes.</p> <p>21 Q Were you told the results of any testing</p> <p>22 done on the biopsies?</p> <p>23 A Yes.</p> <p>24 Q What were you told?</p> <p>25 A Bipolar mesothelioma.</p>

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<p>1 Christian Holinka 198</p> <p>2 Q Were you familiar with that illness prior</p> <p>3 to your being diagnosed with it?</p> <p>4 A Mesothelioma? Yes.</p> <p>5 Q When did you first become familiar with</p> <p>6 mesothelioma as an illness?</p> <p>7 A Twenty years ago, fifteen years ago.</p> <p>8 Q And in what context did you first become</p> <p>9 familiar with that illness?</p> <p>10 A Through the lay literature information and</p> <p>11 very likely also chanced upon in the professional</p> <p>12 literature.</p> <p>13 Q Had you ever known anyone diagnosed with</p> <p>14 mesothelioma?</p> <p>15 A No.</p> <p>16 Q Had you ever known anyone being treated for</p> <p>17 any mesothelioma related conditions?</p> <p>18 A No.</p> <p>19 Q Dr. Connory reported these results to you?</p> <p>20 A Yes.</p> <p>21 Q Did Dr. Connory suggest what was the next</p> <p>22 stage of treatment?</p> <p>23 A May I add to this?</p> <p>24 Q Yes.</p> <p>25 A Dr. Connory and an oncology physician at</p>	<p>1 Christian Holinka 200</p> <p>2 Q And what was Dr. Taub's opinion?</p> <p>3 A He confirmed the opinion of Dr. Connory.</p> <p>4 Q Did he suggest a follow-up course of</p> <p>5 treatment?</p> <p>6 A Yes. Systemic chemotherapy and topical</p> <p>7 chemotherapy.</p> <p>8 Q Did you begin the systemic chemotherapy?</p> <p>9 A Yes.</p> <p>10 Q When did you begin that?</p> <p>11 A In late October, early November. I think</p> <p>12 it was even mid-October.</p> <p>13 Q And where were those treatments</p> <p>14 administered?</p> <p>15 A Presbyterian.</p> <p>16 Q Are you still undergoing the systemic</p> <p>17 chemotherapy?</p> <p>18 A Not at the moment. I'm on furlough as</p> <p>19 Dr. Taub said until early May.</p> <p>20 Q When did you have your last session of the</p> <p>21 systemic chemotherapy?</p> <p>22 A About mid-December, early to mid-December.</p> <p>23 Q Then you had additional chemotherapy after</p> <p>24 that?</p> <p>25 A No.</p>
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<p>1 Christian Holinka 199</p> <p>2 Roosevelt whose name I don't recall.</p> <p>3 Q Did Dr. Connory suggest a further course of</p> <p>4 treatment?</p> <p>5 A I asked for a second opinion --</p> <p>6 Q And did you go get --</p> <p>7 A -- before he suggested.</p> <p>8 Q Did you go get the second opinion?</p> <p>9 A Yes.</p> <p>10 Q Where was that at?</p> <p>11 A Dr. Taub at Presbyterian.</p> <p>12 Q When did you see Dr. Taub?</p> <p>13 A September last year.</p> <p>14 Q And did you have --</p> <p>15 A No, please, excuse me. It may be early</p> <p>16 October but I believe it was in September.</p> <p>17 Q And let me represent to you, sir, that we</p> <p>18 have not had an opportunity to obtain all of your</p> <p>19 medical records right now, so we will have a chance to</p> <p>20 get them all and review them. I am just asking for</p> <p>21 your best recollections.</p> <p>22 When you had the examination, the meeting</p> <p>23 with Dr. Taub, did you have your test results from St.</p> <p>24 Luke's with you?</p> <p>25 A Yes.</p>	<p>1 Christian Holinka 201</p> <p>2 Q I'm sorry, you had mentioned two types of</p> <p>3 chemotherapy.</p> <p>4 A Yes. The topical chemotherapy was</p> <p>5 concurrent and there was one operation prior to both</p> <p>6 of them. Dr. Sonnet implanted two ports to directly</p> <p>7 administer to the thorax the cisplatin and</p> <p>8 gammafufirin. (Phonetic)</p> <p>9 Q And this was all in the course of your</p> <p>10 concurrent chemotherapy treatments?</p> <p>11 A It was prior.</p> <p>12 Q Prior to it?</p> <p>13 A Yes, just prior to it.</p> <p>14 Q When was the last topical chemotherapy</p> <p>15 treatment administered?</p> <p>16 A At the same time I believe as, yes, I know,</p> <p>17 the last systemic chemotherapy.</p> <p>18 Q Were you told the results of the</p> <p>19 chemotherapy treatments at any time?</p> <p>20 A At the end of my third course.</p> <p>21 Q What were you told?</p> <p>22 A Dr. Taub told me that I'm responding well</p> <p>23 and that he was putting me on furlough, as he put it,</p> <p>24 for three months.</p> <p>25 Q Did he tell you how large the lesions were</p>

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1 Christian Holinka 202
 2 when they were first seen?
 3 A I believe he said the largest was 1
 4 centimeter.
 5 Q Do you have an understanding as to the size
 6 of the lesions now after the chemotherapy treatments?
 7 A He said it's been reduced in size.
 8 Q Did he give you any idea of the size of the
 9 reduction?
 10 A No.
 11 Q Have you had to have fluid drained since
 12 the initial draining of 2.7 liters?
 13 A No.
 14 Q Have you experienced shortness of breath
 15 since the pleura fluid was drained?
 16 A No.
 17 Q Do you take any over-the-counter
 18 medications for any pain currently that you associate
 19 with this illness as opposed to headaches?
 20 A Currently, no.
 21 Q Did you take any medications with respect
 22 to the surgeries that you had to have for the
 23 implanting of the ports or anything like that?
 24 A Some pain medicine.
 25 Q And when would have been the last time that

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1 Christian Holinka 203
 2 you took any of that?
 3 A I just took it for two days after the
 4 operation.
 5 Q You say that you are currently on furlough,
 6 your word, do you have an understanding as to when
 7 your next currently scheduled medical appointment is
 8 with anybody in association with your diagnosis?
 9 A There is an interim CAT scan to be
 10 scheduled in early March, I don't know the exact date
 11 yet.
 12 Q Have you seen any other doctors in
 13 association with your diagnosis of bipolar
 14 mesothelioma?
 15 A No.
 16 Q There was an indication I think in some
 17 records that I did have a chance to look at of a
 18 Dr. Fischer, who is that?
 19 A Dr. Fischer is an old friend of mine from
 20 my undergraduate days, he's a professor of medicine at
 21 Stanford University. And Dr. Fischer, he came to New
 22 York and actually accompanied me to both Connory and
 23 Dr. Taub.
 24 Q But Dr. Fischer is not involved in your
 25 treatment regimen at all?

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1 Christian Holinka 204
 2 A No.
 3 Q Is Dr. Grossban or Dr. Grossbard?
 4 A Gross.
 5 Q Grossbard or Grossband, does that name ring
 6 any bells?
 7 A I think it may have been the name of the
 8 oncologist at Roosevelt but I don't recall his name.
 9 Q And have you had any other --
 10 A Yeah, I think another physician briefly
 11 examined me in the oncology department at Roosevelt.
 12 Q And outside of the names you have mentioned
 13 and the names I have mentioned, are there any other
 14 doctors that you can recall having treated with since,
 15 say, summer of 2006?
 16 A No.
 17 Q Did any of the doctors report to you as to
 18 what they believe the cause of the bipolar
 19 mesothelioma was?
 20 A Well, Dr. Taub certainly pointed out the
 21 association between asbestos and the illness.
 22 Q Did Dr. --
 23 A With Connory I do not think we discussed
 24 causeology.
 25 Q Did Dr. Taub ask you questions as to

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1 Christian Holinka 205
 2 whether you thought that you were exposed to asbestos
 3 in any way?
 4 MR. DARCHE: I am just going to object.
 5 But you can answer.
 6 A Yes, he did. And I told him about my
 7 association.
 8 Q Has anybody given you a prognosis?
 9 A No.
 10 Q Have you done any independent research
 11 yourself with respect to either the causes of
 12 mesothelioma or potential treatments?
 13 A You might not believe it but the answer is
 14 absolutely no. Psychologically it is too difficult.
 15 Q Has anybody done any research on your
 16 behalf or at your behest?
 17 A No.
 18 Q Did you ever have to care for anyone that
 19 was diagnosed with cancer?
 20 A No.
 21 Q Have you ever been diagnosed with any other
 22 type of cancer?
 23 A No.
 24 Q Besides, I believe, you said the follow-up
 25 CAT scan, do you have any other future medical

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<p>1 Christian Holinka 206</p> <p>2 appointments or treatments that you are aware of?</p> <p>3 A In early May at the end of my three months</p> <p>4 presumably Dr. Taub will see me. I'll find out in</p> <p>5 early March.</p> <p>6 MR. DARCHE: Why don't we take a little</p> <p>7 break.</p> <p>8 (Whereupon, at 2:35 P.M., a short recess</p> <p>9 was taken)</p> <p>10 (Back on the record at 2:45 P.M.)</p> <p>11 Q Sir, I just have a couple of other</p> <p>12 additional questions for you and then I am going to</p> <p>13 pass the questioning.</p> <p>14 MR. DARCHE: Your last question was still</p> <p>15 on the table, I think.</p> <p>16 MR. SCHAFFER: Could you read back the last</p> <p>17 question, please.</p> <p>18 (Whereupon, at this time, the requested</p> <p>19 portion was read back by the reporter)</p> <p>20 Q Anything else?</p> <p>21 A I would like to add this, that I have an</p> <p>22 appointment with Dr. Moline at Mount Sinai.</p> <p>23 Q An appointment for Dr. Moline to?</p> <p>24 A To examine me.</p> <p>25 Q To examine you.</p>	<p>1 Christian Holinka 208</p> <p>2 A I took for a brief period, I took Lipitor</p> <p>3 medication and then I discontinued.</p> <p>4 Q When was that approximately?</p> <p>5 A Approximately three, four years ago.</p> <p>6 Q How tall are you?</p> <p>7 A 5'11".</p> <p>8 Q How much do you currently weigh?</p> <p>9 A 143.</p> <p>10 Q Thinking back to 2005, what was your</p> <p>11 average adult weight?</p> <p>12 A About 15 pounds more. About 162, 20 pounds</p> <p>13 more.</p> <p>14 Q Do you belong to any civic or religious</p> <p>15 organizations?</p> <p>16 A No.</p> <p>17 Q Do you have any hobbies or what do you like</p> <p>18 to do in your spare time?</p> <p>19 A Read, listen to music, do science.</p> <p>20 Q How large is the living space that you</p> <p>21 currently reside in?</p> <p>22 A 700 square feet.</p> <p>23 Q Do you need to have anybody come in to do</p> <p>24 any cleaning of those premises or do you do it</p> <p>25 yourself?</p>
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<p>1 Christian Holinka 207</p> <p>2 A Yes.</p> <p>3 Q When is that scheduled for?</p> <p>4 A Tomorrow.</p> <p>5 Q Have you ever been examined by Dr. Moline</p> <p>6 before?</p> <p>7 A No.</p> <p>8 Q Did Dr. Taub refer you to Dr. Moline?</p> <p>9 A I do not know about the process.</p> <p>10 Q Are you aware of any of your doctors</p> <p>11 referring you to Dr. Moline?</p> <p>12 A No, I am not.</p> <p>13 Q Have you ever been diagnosed with diabetes?</p> <p>14 A No.</p> <p>15 Q Have you ever been diagnosed with any heart</p> <p>16 problems?</p> <p>17 A No.</p> <p>18 Q Have you ever been diagnosed with high</p> <p>19 cholesterol?</p> <p>20 A Moderately high cholesterol. Could I add</p> <p>21 to that?</p> <p>22 Q Yes, sir.</p> <p>23 A That went away, diet control and exercise.</p> <p>24 Q Did you ever have to take any medications</p> <p>25 in relation to that?</p>	<p>1 Christian Holinka 209</p> <p>2 A No, I do it myself.</p> <p>3 Q Have you been able to do that since your</p> <p>4 diagnosis last year?</p> <p>5 A Well, not during the operations and less so</p> <p>6 now because I do have some pain in my right chest.</p> <p>7 Q Do you have any out-of-pocket expenses</p> <p>8 associated with any of the medical treatments or</p> <p>9 procedures that you have undergone since mid-2006?</p> <p>10 A Yes.</p> <p>11 Q And can you give me a best estimate as to</p> <p>12 how much you are out of pocket, what you have not been</p> <p>13 covered for?</p> <p>14 A At this time about \$500, \$700.</p> <p>15 Q And have you incurred any other</p> <p>16 out-of-pocket expenses associated with any chores or</p> <p>17 other responsibilities that you might have?</p> <p>18 A No. Occasionally a taxi to Columbia.</p> <p>19 MR. SCHAFFER: All right, sir, I am going</p> <p>20 to pass the questioning right now to one of my</p> <p>21 colleagues here. I want to thank you very much</p> <p>22 for your time and for your patience.</p> <p>23 THE WITNESS: Thank you.</p> <p>24 CROSS-EXAMINATION</p> <p>25 BY MR. ABERNETHY:</p>

<p style="text-align: right;">Page 154</p> <p>1 Christian Holinka 210</p> <p>2 Q Good afternoon.</p> <p>3 A Good afternoon.</p> <p>4 Q My name is David Abernethy. I am with the</p> <p>5 law firm of Drinker, Biddle and Reath in Philadelphia,</p> <p>6 Pennsylvania. I represent Univar USA, Incorporated</p> <p>7 and VWR International, Incorporated which are two of</p> <p>8 the defendants in this lawsuit.</p> <p>9 All the same instructions that you were</p> <p>10 previously given still hold including, of course,</p> <p>11 letting me know if you need to clarify a question or</p> <p>12 if you need a break for any reason.</p> <p>13 I want to start -- and let me add one more</p> <p>14 thing: I am going to be touching on testimony and</p> <p>15 questions that you have already given. It may seem</p> <p>16 like I am jumping around a little bit, at times it may</p> <p>17 seem a little bit repetitious. I will try not to</p> <p>18 repeat any more than I absolutely have to for context</p> <p>19 but when you go second or third or fourth, you are</p> <p>20 asking about things that have already been covered to</p> <p>21 some extent, so you have to do some of that.</p> <p>22 You were asked a lot of questions --</p> <p>23 MR. DARCHE: And if you get tired or you</p> <p>24 want to stop, just let us know, it is not a</p> <p>25 marathon.</p>	<p style="text-align: right;">Page 156</p> <p>1 Christian Holinka 212</p> <p>2 with respect to the pads. If I understood your</p> <p>3 testimony correctly, the pads were a wire mesh of some</p> <p>4 kind with a round asbestos-containing pad inside?</p> <p>5 A Yes.</p> <p>6 Q Was the mesh completely closed in those</p> <p>7 things so that it is just one closed item or unit; do</p> <p>8 you know what I mean?</p> <p>9 A The inside pad and the mesh were one unit.</p> <p>10 Q And when you would discard one of these</p> <p>11 things after it had been used for a while, which you</p> <p>12 described earlier, would you throw the whole thing</p> <p>13 away, both the pad and the mesh, or just throw the pad</p> <p>14 away and put a new pad inside the old mesh?</p> <p>15 A We would throw the whole thing away.</p> <p>16 Q So, it was all one product that you used</p> <p>17 and then threw away.</p> <p>18 A Yes.</p> <p>19 Q You were asked a lot of questions about who</p> <p>20 supplied or manufactured certain products and a number</p> <p>21 of times you referred to standard suppliers; do you</p> <p>22 recall that?</p> <p>23 A Yes, I do.</p> <p>24 Q I need to get a little more detail about</p> <p>25 that from you. Let me start backwards if I could with</p>
<p style="text-align: right;">Page 155</p> <p>1 Christian Holinka 211</p> <p>2 Q Yes. If it becomes necessary to stop, you</p> <p>3 can let us know that or if you just need a break.</p> <p>4 You were asked a number of questions about</p> <p>5 where certain of the places you worked got particular</p> <p>6 products, particularly the Bunsen burner pads and</p> <p>7 mittens and I want to get into that in a minute but</p> <p>8 first I would like you to clarify something for me</p> <p>9 about Bunsen burners.</p> <p>10 Did any of the Bunsen burners themselves</p> <p>11 that you worked with have any asbestos in them or was</p> <p>12 it just the Bunsen burner pads?</p> <p>13 MR. DARCHE: I am going to object to the</p> <p>14 form for lack of foundation.</p> <p>15 But you can answer.</p> <p>16 A To my knowledge, no, they did not contain</p> <p>17 asbestos.</p> <p>18 Q The burners themselves did not?</p> <p>19 A That's correct, they did not.</p> <p>20 Q So, if you had any exposure to asbestos in</p> <p>21 connection with the use of Bunsen burners, it was</p> <p>22 either from the pads or from the mittens you used with</p> <p>23 the glassware; is that right?</p> <p>24 A That's correct.</p> <p>25 Q Now, if you could clarify something for me</p>	<p style="text-align: right;">Page 157</p> <p>1 Christian Holinka 213</p> <p>2 Mount Sinai, the time that you worked in the lab as an</p> <p>3 instructor or assistant professor. Tell me again all</p> <p>4 the companies that you recall that you described as</p> <p>5 standard suppliers at Mount Sinai?</p> <p>6 A I recall the major companies, Fisher</p> <p>7 Scientific, Van Waters and Rogers, American</p> <p>8 Scientific, Senco. And others were for specific</p> <p>9 things like hormones or specific research areas.</p> <p>10 Q And when you referred to these four</p> <p>11 companies that you just listed as major suppliers,</p> <p>12 what is the basis for that, did you know, did you have</p> <p>13 actual knowledge that they sold products that were</p> <p>14 used in the lab at Mount Sinai?</p> <p>15 (All defendants object to the form)</p> <p>16 THE WITNESS: Can I answer?</p> <p>17 MR. DARCHE: You can answer.</p> <p>18 A Yes, I did.</p> <p>19 Q And how did you know that they sold</p> <p>20 products to --</p> <p>21 A Well -- sorry.</p> <p>22 MR. DARCHE: Let him finish.</p> <p>23 Q How did you know that those companies sold</p> <p>24 products that were used in the lab at Mount Sinai?</p> <p>25 A First, we had large catalogs of those</p>

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1 Christian Holinka 214
 2 companies. They're really catalogs, that's an
 3 understatement, they're like books, 600, 800 pages,
 4 whatever, with the names of those companies in the
 5 back of the books clearly visible.
 6 Secondly, for my specific research I
 7 actually ordered, may have ordered things from those
 8 companies. If you needed a small or a minor flask or
 9 something specifically related to your own research.
 10 Q You started by saying "ordered" and then
 11 you said "may have ordered," which is it? Do you have
 12 an actual recollection of specific companies that you
 13 ordered from for your research at Mount Sinai?
 14 A I did order from certainly any one or
 15 several of those companies, I could not tell you at
 16 this time which one and what I ordered.
 17 Q And you said for your specific research.
 18 When you ordered for your specific research, were you
 19 ordering general lab supplies or unusual things that
 20 were just needed for your work?
 21 MR. DARCHE: I am going to just object to
 22 the terminology of "unusual."
 23 MR. ABERNETHY: Let me rephrase the
 24 question.
 25 Q When you yourself went to -- would you ask

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1 Christian Holinka 215
 2 someone to order for you or would you actually do the
 3 ordering yourself?
 4 A I would ask somebody to include it in
 5 another order unless it was very urgent. And as I
 6 said that we may, may even have had a special ordering
 7 venue with one or several companies.
 8 Q When you asked someone at Mount Sinai to
 9 order something specifically for your research, who
 10 was the person that you asked?
 11 A My technician or the head of the
 12 laboratory.
 13 Q Did you ever specifically ask for Bunsen
 14 burner pads or mittens to be ordered specifically for
 15 your research?
 16 A No, I did not.
 17 Q So, those were the general supplies that
 18 were ordinarily ordered?
 19 A That is correct. Standard laboratory
 20 equipment.
 21 Q And who was the person who ordered those
 22 general kinds of supplies at Mount Sinai?
 23 A At my laboratory I could not tell you. We
 24 may have gotten it from the central supply room.
 25 Q So, whoever the actual employee was at

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1 Christian Holinka 216
 2 Mount Sinai who got those things from the companies,
 3 you do not know the person's name?
 4 A My technician may have gotten some but I do
 5 not recall the details.
 6 Q Can you tell me from your own knowledge
 7 which, if any, of those major suppliers sold Bunsen
 8 burner pads to Mount Sinai, which specific companies?
 9 A I would not know a specific company.
 10 Q Can you tell me which specific companies
 11 among those four, if any, sold mittens to Mount Sinai?
 12 (All defendants object)
 13 A No, I could not.
 14 Q Did you ever talk to any of the people who
 15 ordered supplies at Mount Sinai about which specific
 16 companies they ordered specific items from?
 17 A No, I didn't.
 18 Q Did you ever see any documents at Mount
 19 Sinai that indicated what company's particular items
 20 had been ordered from?
 21 A To the best of my knowledge, yes, ordering
 22 forms that specified VWR, Fisher Scientific.
 23 Q Let me ask you about that. When you say
 24 ordering forms, do you mean the blank forms that were
 25 used to place an order or a form that had already been

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1 Christian Holinka 217
 2 filled out with a specific order?
 3 A Very likely both, filled out forms and
 4 blank forms. And I do not even recall the type of the
 5 form.
 6 Q Do you recall any of the specific contents
 7 of any filled out forms that listed specific items
 8 that were being ordered?
 9 A No, I don't.
 10 Q Where were the catalogs at Mount Sinai?
 11 A At the laboratory, shelves.
 12 Q How many catalogs were there?
 13 A Twenty, twenty-five.
 14 Q Did each catalog cover a different company?
 15 A Yes.
 16 Q Do you remember the names of any of the
 17 other companies?
 18 A No, I don't.
 19 Q Did any of the other companies other than
 20 the four that you listed sell Bunsen burner pads?
 21 MR. DARCHE: If you know.
 22 Q Well, they are all if you know. Let me
 23 repeat what has already been said: I only want to
 24 know what you know, I do not want you to guess.
 25 A I don't know.

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1 Christian Holinka 218
 2 Q You do not know whether any of the others
 3 did or didn't.
 4 A That's correct, I don't know.
 5 Q Do you know whether any of the companies
 6 other than those four that you just named sold
 7 asbestos mittens?
 8 A I don't know.
 9 Q Who else used the catalogs or --
 10 MR. ABERNETHY: Let me withdraw that.
 11 Q Who else looked at the catalogs besides
 12 you, if you know?
 13 A In terms of names or people that worked at
 14 the lab?
 15 Q Either. Whatever information --
 16 A Pretty much graduate students and post
 17 docs, post doctoral students.
 18 Q Did the graduate students or post doctorate
 19 students order from the catalogs?
 20 A Very likely, yes. That was the source of
 21 information.
 22 Q While you were at Mount Sinai, did you ever
 23 see any of the original packaging or crates or cartons
 24 that any Bunsen burner pads came in?
 25 A No, I did not.

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1 Christian Holinka 219
 2 Q While you were at Mount Sinai, did you ever
 3 see any of the original packaging or cartons or crates
 4 that asbestos mittens came in?
 5 A To the best of my recollection, I did not.
 6 Q Do you know whether or not Mount Sinai
 7 bought asbestos Bunsen burner pads from any companies
 8 other than the four that you specifically recall the
 9 names of?
 10 A I do not know.
 11 Q Do you know if they bought mittens from any
 12 other companies?
 13 A I do not know.
 14 Q Let me touch on a question that you were
 15 asked with respect to certain places but I want to
 16 make sure that we covered it for all.
 17 During any of the time periods that you
 18 worked with Bunsen burner pads, were there any pads
 19 sold by any specific company that looked unique or
 20 different from the pads sold by other companies?
 21 MR. DARCHE: I am just going to object to
 22 the form and the basis is it is too broad. Is
 23 there a specific, is there a specific, you know,
 24 thing that you are -- it would be different if
 25 you are talking about the size, the width, the

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1 Christian Holinka 220
 2 color, it could be a million things.
 3 MR. ABERNETHY: Let me try it a different
 4 way and we will break it down so that we are not
 5 too broad, we will take it place by place.
 6 Q While you worked with or handled Bunsen
 7 burner pads at Mount Sinai, if you went into the lab
 8 on a particular day and picked up a particular pad,
 9 would there be anything about the appearance of that
 10 pad that would enable you to identify who specifically
 11 made or sold it?
 12 A Not about the appearance but in retrospect
 13 it is likely that they were different sizes.
 14 Q You used that term before "it is likely," I
 15 want to probe that a little bit more.
 16 A Or it -- okay.
 17 Q Let me ask you a specific question: Do you
 18 specifically recall as you sit here today handling
 19 different sizes of Bunsen burner pads?
 20 A No, I don't.
 21 Q Is there anything that you can recall about
 22 any specific Bunsen burner pad that you handled at
 23 Mount Sinai that enabled you to identify it as coming
 24 from a particular maker or supplier?
 25 A No.

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1 Christian Holinka 221
 2 Q So, as a general rule if you went into the
 3 lab and picked up a pad, it could have come from any
 4 number of companies, you would not know which one just
 5 by looking at it, correct?
 6 A That's correct, I wouldn't know which one.
 7 Q Were there any asbestos mittens that you
 8 handled in the lab at Mount Sinai at any time that you
 9 were able to identify the maker or supplier from the
 10 size, appearance, color or any other observable
 11 characteristics?
 12 A No, I would not be able to identify.
 13 Q Is that true of the other places that you
 14 handled asbestos mittens, the earlier employment or
 15 lab work that you did? Were there ever any asbestos
 16 mittens that you handled that you could identify the
 17 maker or seller by something about the appearance?
 18 A No, I couldn't. But may I add a but to
 19 this?
 20 MR. DARCHE: Go ahead.
 21 A I have no idea if perhaps there was a
 22 little bit in the bag, a tiny label inside which is
 23 unlikely. But ordinarily, ordinary use I would not be
 24 able to identify one company from another.
 25 Q Did you ever see a label on any asbestos

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1 Christian Holinka 222
 2 mitten at any location --
 3 A No.
 4 Q -- that identified the maker or seller?
 5 A No, I did not.
 6 Q Did you ever see a label or a logo or a
 7 word or symbol or imprint or anything physically
 8 observable on a Bunsen burner pad that told you who
 9 made or sold that pad?
 10 A No, I did not.
 11 Q Let me ask you a few questions about the
 12 mittens. In the mittens that you worked with in labs
 13 that you believe contained asbestos, where physically
 14 in the product was the asbestos?
 15 A I do not know but they were identified as
 16 asbestos mittens.
 17 Q How were they identified as asbestos
 18 mittens?
 19 A In the catalogs.
 20 Q Did you ever order mittens from any catalog
 21 yourself?
 22 A No, I did not.
 23 Q When you worked with mittens in the labs,
 24 the various labs that you worked in, did you ever
 25 compare a particular set of mittens to an entry or a

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1 Christian Holinka 223
 2 picture in a catalog to confirm that they contained
 3 asbestos?
 4 MR. DARCHE: I am going to object. You
 5 cannot confirm it by -- I am going to object to
 6 the form.
 7 MR. ABERNETHY: Object to the form, do not
 8 testify as to why you think something is or
 9 isn't.
 10 MR. DARCHE: I am going to object to the
 11 form of the question, there you go.
 12 MR. ABERNETHY: Let me rephrase it and
 13 maybe this will satisfy your concern.
 14 Q When you used the asbestos mittens in the
 15 lab, did you always have the catalog handy to look at
 16 at the same time?
 17 A No.
 18 Q Did you ever look at the catalog while you
 19 were holding or using a pair of asbestos mittens?
 20 A No.
 21 Q Did any of the companies from whom these
 22 labs ordered mittens sell mittens that did not contain
 23 asbestos, if you know?
 24 A I don't know.
 25 Q Did you simply assume when you used mittens

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1 Christian Holinka 224
 2 in the lab that they contained asbestos because some
 3 of the catalogs referred to asbestos mittens?
 4 MR. DARCHE: Objection to the form. It
 5 mischaracterizes the witness' prior testimony
 6 that also said it was stated by colleagues and
 7 co-workers that these gloves were asbestos.
 8 MR. ABERNETHY: Well, first of all, I am
 9 not characterizing his testimony, I am not asking
 10 him about his testimony. I am asking him why he
 11 thought a particular thing and he can tell me. I
 12 would rather have him tell me than have you
 13 testify for him as to why he --
 14 MR. DARCHE: I just ask that you rephrase
 15 the question.
 16 Q You saw catalog pages from time to time
 17 that referred to asbestos mittens, correct?
 18 A Yes.
 19 Q Did you have any other basis for believing
 20 that a particular pair of mittens contained asbestos?
 21 A It was common knowledge in our working
 22 situation.
 23 Q Any other basis for believing that the
 24 mittens that you used contained asbestos beyond what
 25 you have already told me?

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1 Christian Holinka 225
 2 A No.
 3 Q Do you have any knowledge as to what
 4 portions of the mittens, what physical parts of the
 5 product contained asbestos?
 6 A No.
 7 Q Describe the mittens for me a little bit
 8 more if you could; what was the outside made of, the
 9 outside surface made of or what did it appear to be
 10 made of?
 11 A Well, it was -- that's a difficult
 12 question. It was a somewhat coarse material, tanish,
 13 grayish. I don't have an obvious comparison. And
 14 certainly relatively sturdy, it wasn't like cloth.
 15 Q Would you compare, would it be fair to
 16 compare it to some kind of coarse or rough fabric of
 17 some kind?
 18 A Yes.
 19 Q What was underneath that outer surface, if
 20 you know?
 21 A I don't know.
 22 Q Did you ever see what was underneath the
 23 outer surface?
 24 A No.
 25 Q Did you ever cut open a pair of gloves to

<p style="text-align: right;">Page 170</p> <p>1 Christian Holinka 226</p> <p>2 see?</p> <p>3 A No.</p> <p>4 Q Did you ever see a glove that was torn open</p> <p>5 so that you could see inside?</p> <p>6 A No.</p> <p>7 Q Do you know anything about what was the</p> <p>8 appearance or characteristics of the gloves other than</p> <p>9 what you could observe or feel on the outer surface?</p> <p>10 A No. Other than their shape, that's part of</p> <p>11 the appearance.</p> <p>12 Q Was the surface on the inside --</p> <p>13 MR. ABERNETHY: Let me rephrase.</p> <p>14 Q Was the surface that touched your hand as</p> <p>15 opposed to the surface facing away from your hand, was</p> <p>16 that the same material, those two sides?</p> <p>17 MR. DARCHE: If you remember.</p> <p>18 A I do not recall.</p> <p>19 Q Were all the mittens that you used in the</p> <p>20 various labs in which you worked or did academic</p> <p>21 research the same color or approximately the same</p> <p>22 color?</p> <p>23 A Yes.</p> <p>24 Q You do not recall any that had any</p> <p>25 distinctive color that stood out like bright blue or</p>	<p style="text-align: right;">Page 172</p> <p>1 Christian Holinka 228</p> <p>2 your body, if it did.</p> <p>3 A Debris, micro debris, if you want, dust.</p> <p>4 The gloves, of course, were used to handle very hot</p> <p>5 materials and heat has deteriorating effects on any</p> <p>6 material. So, over longer periods of time there was</p> <p>7 disintegration, it's inevitable of any material that</p> <p>8 you use in this particular circumstance.</p> <p>9 Q So, am I correct that you believe or</p> <p>10 observed that whatever was in that, on that surface of</p> <p>11 the glove would degrade over time and give off dust?</p> <p>12 A The surface as well as perhaps the inside.</p> <p>13 Q Did you ever see -- I thought you testified</p> <p>14 a few minutes ago you never saw the inside of any</p> <p>15 glove.</p> <p>16 MR. DARCHE: I am just going to object to</p> <p>17 the argumentative nature of that question.</p> <p>18 MR. ABERNETHY: I will rephrase it.</p> <p>19 Q Do you recall testifying a few minutes ago</p> <p>20 that you did not see the inside of any asbestos</p> <p>21 mittens?</p> <p>22 MR. DARCHE: I am going to object to the</p> <p>23 form, it mischaracterizes his testimony. That</p> <p>24 was not the question asked.</p> <p>25 MR. ABERNETHY: Well, that is my question.</p>
<p style="text-align: right;">Page 171</p> <p>1 Christian Holinka 227</p> <p>2 red or anything like that?</p> <p>3 A No, I do not recall.</p> <p>4 Q Was there anything about the design or</p> <p>5 construction of any particular pair of asbestos gloves</p> <p>6 or mittens that looked different than the others?</p> <p>7 A No, not to my knowledge.</p> <p>8 Q If I touched on this already, I apologize:</p> <p>9 Did you ever use any specific set of asbestos mittens</p> <p>10 that had something distinct or observable about it</p> <p>11 that enabled you to identify who made them or sold</p> <p>12 them?</p> <p>13 MR. DARCHE: I am going to object to the</p> <p>14 form.</p> <p>15 But you can answer.</p> <p>16 A No.</p> <p>17 Q How do you believe you were exposed to</p> <p>18 asbestos from mittens?</p> <p>19 MR. DARCHE: I am going to object that this</p> <p>20 was gone over.</p> <p>21 But you can answer again.</p> <p>22 MR. ABERNETHY: I think he testified as to</p> <p>23 how he used mittens and what they were used for.</p> <p>24 Q What I am trying to find out is how, if you</p> <p>25 know, did asbestos actually get from the mittens into</p>	<p style="text-align: right;">Page 173</p> <p>1 Christian Holinka 229</p> <p>2 MR. DARCHE: You can answer if you can.</p> <p>3 A Okay, I don't recall exactly whether I said</p> <p>4 I didn't see it. Wasn't the question more whether the</p> <p>5 outside and the inside were similar?</p> <p>6 Q Did you ever see the material that was</p> <p>7 underneath the external surface of the asbestos</p> <p>8 mittens that you worked with?</p> <p>9 A I did not.</p> <p>10 MR. DARCHE: Off the record.</p> <p>11 (Discussion held off the record)</p> <p>12 Q Do you recall any of the specific companies</p> <p>13 that sold Bunsen burner pads to the lab that you</p> <p>14 worked in at Columbia Presbyterian?</p> <p>15 A No, I don't.</p> <p>16 Q Do you recall any of the specific companies</p> <p>17 that sold Bunsen burner pads to the lab that you</p> <p>18 worked in at SUNY Stony Brook?</p> <p>19 A No, I don't.</p> <p>20 Q Do you recall any of the specific companies</p> <p>21 that sold Bunsen burner pads to the lab where you did</p> <p>22 your chemistry lab at Hunter College?</p> <p>23 A No.</p> <p>24 Q Do you recall any of the specific companies</p> <p>25 that sold Bunsen burner pads to the laboratory where</p>

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1 Christian Holinka 230
 2 you did your academic work at the University of
 3 California at Berkeley?
 4 A No, I don't. But with there again, it was
 5 a large research unit and they used standard
 6 suppliers.
 7 Q And tell me again who the standard
 8 suppliers were that you recall that were used in the
 9 large research lab at UC Berkeley.
 10 A Fisher Scientific, Van Waters and Rogers,
 11 American Scientific, Senco.
 12 Q But as you sit here today, can you tell me
 13 which specific companies, if any, in that group sold
 14 Bunsen burner pads for that lab?
 15 A I could not.
 16 Q Do you know whether any other companies
 17 sold Bunsen burner pads to that lab?
 18 A I do not know.
 19 Q Do you know whether any other companies
 20 sold Bunsen burner pads to the lab at Hunter College?
 21 A No, I don't know.
 22 Q Do you know if any other companies sold
 23 Bunsen burner pads to the lab at SUNY Stony Brook?
 24 A No, I don't know.
 25 Q Do you know if any other companies sold

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1 Christian Holinka 231
 2 Bunsen burner pads to the lab at Columbia Presbyterian?
 3 A No, I don't.
 4 Q As you sit here today can you tell me what
 5 specific companies sold Bunsen burner pads to the lab
 6 at Booth Hospital?
 7 A No, I don't know.
 8 Q Do you know if any companies other than the
 9 ones that you mentioned earlier as standard suppliers
 10 sold Bunsen burner pads to the lab at Booth Hospital?
 11 A No, I don't know.
 12 Q Let me ask you the same couple of questions
 13 about mittens: As you sit here now can you identify
 14 any specific company that sold Bunsen burner pads used
 15 in the lab at Booth Hospital?
 16 A No, I cannot identify a specific company.
 17 MR. DARCHE: Off the record.
 18 (Discussion held off the record)
 19 Q Again, the question is, can you identify a
 20 specific company that sold mittens to the lab at Booth
 21 Hospital?
 22 A No, I cannot.
 23 Q And do you know whether any company other
 24 than the standard suppliers sold mittens to Booth
 25 Hospital?

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1 Christian Holinka 232
 2 A I do not know.
 3 Q Can you identify any specific company that
 4 sold mittens to any of the labs that you did work in
 5 at Cal Berkeley?
 6 A No, I cannot.
 7 Q Do you know whether anybody other than
 8 standard suppliers as you described them sold mittens
 9 to the lab at UCal Berkeley?
 10 A No, I do not know.
 11 Q Do you know who specifically sold mittens
 12 to the lab at Hunter College?
 13 A No, I don't.
 14 Q Do you know whether any companies other
 15 than those you recall as the standard suppliers sold
 16 at Hunter College mittens?
 17 A No, I don't.
 18 Q Can you identify the specific company that
 19 sold mittens to the lab at SUNY Stony Brook?
 20 A No, I don't.
 21 Q Do you know whether any other than the
 22 standard suppliers did?
 23 A I don't.
 24 Q Do you know who sold, the specific company
 25 who sold mittens to the lab at Columbia Presbyterian?

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1 Christian Holinka 233
 2 A No, I don't.
 3 Q Do you know if any companies other than
 4 those you described as the standard suppliers did?
 5 A No, I don't.
 6 Q Without going through every location let me
 7 just ask you this: Do you recall as you sit here
 8 today ever discussing with any of the people who were
 9 responsible for ordering supplies at any of these labs
 10 the specific sources they used to get Bunsen burner
 11 pads?
 12 A No, I do not recall.
 13 Q Do you recall ever talking with any of
 14 those people about the specific sources they used to
 15 get asbestos mittens?
 16 A No, I do not recall.
 17 Q Do you have or do you know the location of
 18 any documents that might indicate what specific
 19 companies sold to any of the labs where you worked?
 20 A No, I don't.
 21 Q Do you recall answering written questions
 22 called interrogatories in connection with this
 23 lawsuit?
 24 MR. DARCHE: Answer the question to the
 25 best of your ability, if you can.

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1 Christian Holinka 234
 2 A I filled out some questionnaires related to
 3 Mr. Darche's questions.
 4 Q Is it your understanding that your lawyers
 5 served on the other parties to this case written
 6 answers to specific questions including questions
 7 about your asbestos exposures, do you have an
 8 understanding about that?
 9 A No, I don't have any direct understanding.
 10 Q I will represent to you that it is my
 11 understanding that answers to written interrogatories
 12 were served on your behalf in this litigation and one
 13 of the answers to the written interrogatories makes
 14 reference to potential exposure to asbestos in
 15 connection with a product called an autoclave. Do you
 16 recall answering any question indicating that you were
 17 exposed to asbestos from a product called an
 18 autoclave?
 19 MR. DARCHÉ: Objection. The
 20 interrogatories that you are referring to were
 21 not verified by this witness, so it is my
 22 position that you are not really confronting him
 23 with something that he has verified.
 24 MR. ABERNETHY: Well, forget the
 25 verification, let me just ask a simpler question.

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1 Christian Holinka 235
 2 Q Do you believe that you were exposed to
 3 asbestos at any location from a product called an
 4 autoclave?
 5 A I'm not sure. Initially I thought maybe
 6 but I'm not even sure if it contains, an autoclave
 7 contains asbestos.
 8 Q You are familiar with a product or a type
 9 of product referred to as an autoclave?
 10 A Yes.
 11 Q What is an autoclave?
 12 A An autoclave sterilizes at high heat and
 13 steam bacterial cultures or anything that you may want
 14 to sterilize.
 15 Q In any of the laboratory or other work that
 16 you have done, which the other counsel went over in
 17 great detail earlier, in any of that work did you work
 18 with autoclaves?
 19 A I did in the Army and I did at Sinai.
 20 Q What specifically did you do with
 21 autoclaves in the Army?
 22 A Put in bacterial cultures, TB cultures,
 23 gonorrhea cultures after you had diagnosed them and
 24 sterilized them.
 25 Q Do you know the makers or suppliers of any

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1 Christian Holinka 236
 2 of the autoclaves that you worked with in the Army?
 3 A I don't.
 4 Q Can you describe the physical appearance of
 5 any of the autoclaves you worked with in the Army?
 6 A Yeah. It's typically a large round tube
 7 about — stainless steel on the outside, about 4 feet,
 8 5 feet long, about 3 feet in diameter that has a door
 9 with this circular handle to close tight and then you
 10 push a few buttons to let the steam and the heat in.
 11 Q Did you work with more than one autoclave
 12 while you were in the Army?
 13 A I don't recall exactly but I don't believe
 14 so.
 15 Q And am I correct you do not know who made
 16 or sold that autoclave, the one that you remember?
 17 A You are correct, I don't remember.
 18 Q And as you sit here today you do not
 19 remember whether it contained any asbestos or not?
 20 A That's correct, I don't know.
 21 Q What did you do with an autoclave or
 22 autoclaves at Mount Sinai?
 23 A Sterilize cell cultures, culture dishes and
 24 media.
 25 Q Was it one device that you worked with

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1 Christian Holinka 237
 2 there or more than one?
 3 A One device.
 4 Q Can you describe what it looked like?
 5 A Comparable to my earlier description. You
 6 want me to repeat it?
 7 Q You do not have to repeat the earlier
 8 description but do you remember what color it was?
 9 A Also stainless steel.
 10 Q Do you know what the source of power or
 11 heat for it was?
 12 A No, I don't.
 13 Q Do you know who made it or sold it?
 14 A I don't.
 15 Q And you do not know whether it contained
 16 any asbestos?
 17 A No, I don't know.
 18 Q Did you have any involvement in ordering or
 19 buying the autoclave at Mount Sinai?
 20 A No.
 21 Q Was it there when you got there?
 22 A Yes.
 23 Q Was the same one in use when you left?
 24 A Yes.
 25 Q Did it have any logo, marking, nameplate,

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1 Christian Holinka 238
 2 anything identifying marked on it?
 3 A It very likely did.
 4 Q Do you recall what it said?
 5 A No, I don't.
 6 Q Where was it located in the lab?
 7 A It was located in the culture room.
 8 Q Do you know when that device was acquired
 9 by Mount Sinai?
 10 A No, I don't.
 11 Q Do you know when it was put in service?
 12 A I don't.
 13 Q Between the time that you were told that
 14 you had been diagnosed with bipolar mesothelioma and
 15 today, have you looked at any catalogs for laboratory
 16 supplies or any portions of any such catalogs?
 17 A I have not.
 18 Q Have you talked to anyone other than your
 19 counsel about the potential suppliers of any of the
 20 laboratory equipment that you worked with in the
 21 various locations where you did research or academic
 22 work while you were employed?
 23 A I have not.
 24 Q When was the last time you can recall
 25 seeing any catalog from any of the suppliers that you

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1 Christian Holinka 239
 2 mentioned by name earlier in your testimony?
 3 A In 1989 at Sinai.
 4 Q Did you do laboratory work at Mount Sinai
 5 only at one location?
 6 A On one floor in several rooms.
 7 Q But it was just in that one building, not
 8 in any other facility?
 9 A Yes, only on the 20th floor.
 10 Q Since the time that you were diagnosed with
 11 bipolar mesothelioma we are told that you had been
 12 given this diagnosis, have you had any conversation
 13 with any former co-workers or supervisors about any of
 14 the asbestos exposures that you believe you may have
 15 had?
 16 A Not about the asbestos exposure, no.
 17 Q What have you talked to them about?
 18 A My diagnosis.
 19 MR. DARCHE: Just note my objection.
 20 You can answer.
 21 Q And in the context of those discussions
 22 about your diagnosis, your asbestos exposure was not
 23 discussed with any of them?
 24 A Well, it was pretty much recognized that
 25 that was -- well, they really knew that this related

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1 Christian Holinka 240
 2 to asbestos.
 3 MR. DARCHE: Answer his question.
 4 A Would you repeat the question again?
 5 Q Were any of the specific facts of your
 6 exposures to asbestos discussed in any of the
 7 conversations that you have had with any former
 8 co-workers since the time you were told of your
 9 diagnosis?
 10 A I don't understand what you mean by
 11 specific facts.
 12 Q Did you talk to them about any of the
 13 circumstances under which you believe you had been
 14 exposed to asbestos?
 15 A I did talk to them but not about specific
 16 facts as to the origin of the asbestos. Simply in
 17 relation to my research activities.
 18 MR. SCHAFFER: I'm sorry, could you read
 19 back that answer, please.
 20 (Whereupon, at this time, the requested
 21 portion was read back by the reporter)
 22 Q As you sit here today, do you know the
 23 residence or business address of any of the people
 24 that you worked with in any of the locations where you
 25 believe you were exposed to asbestos?

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1 Christian Holinka 241
 2 A I do but in some instances, but not right
 3 here, I couldn't give it to you right now.
 4 Q Do you have any of that information
 5 recorded in an address book or a document or anything
 6 of that nature?
 7 A I do have an address book, yes, with some
 8 of their names.
 9 Q So, you do not recall them, you do not
 10 recall street numbers, city, town, zip code as you sit
 11 here but you have some of them written down.
 12 A That's correct.
 13 MR. DARCHE: Off the record.
 14 (Discussion held off the record)
 15 Q This topic was touched on, I think, in at
 16 least a couple of locations but I am not sure it was
 17 covered for all, so let me just ask you a couple of
 18 questions briefly about the different places that you
 19 worked.
 20 While you were at Mount Sinai, to your
 21 knowledge were there asbestos materials installed in
 22 the building in any of the locations where you worked?
 23 A No, there weren't.
 24 Q Was there any substantial renovation work
 25 done while you were at Sinai in any of the specific

<p style="text-align: right;">Page 186</p> <p>1 Christian Holinka 242</p> <p>2 locations where you worked?</p> <p>3 A No.</p> <p>4 Q Was there any asbestos material to your</p> <p>5 knowledge installed in the building in any of the</p> <p>6 locations where you did work at Columbia Presbyterian?</p> <p>7 A To my knowledge, no.</p> <p>8 Q Were there any renovations of any substance</p> <p>9 done in the areas where you worked at Columbia</p> <p>10 Presbyterian while you were there?</p> <p>11 A No.</p> <p>12 Q Was there any asbestos material to your</p> <p>13 knowledge installed in the lab where you did work at</p> <p>14 SUNY Stony Brook?</p> <p>15 A No.</p> <p>16 Q Were there any renovations done to that lab</p> <p>17 while you were employed there or while you did your</p> <p>18 academic work there?</p> <p>19 A No.</p> <p>20 Q Was there any asbestos material installed</p> <p>21 in any of the facilities at Hunter College while you</p> <p>22 were studying there?</p> <p>23 A Not to my knowledge.</p> <p>24 Q Were there any renovations done in any of</p> <p>25 the locations where you were living or studying or</p>	<p style="text-align: right;">Page 188</p> <p>1 Christian Holinka 244</p> <p>2 A No.</p> <p>3 MR. ABERNETHY: Those are all the questions</p> <p>4 I have for you. Thank you very much.</p> <p>5 MR. DARCHE: We will stop now for the day</p> <p>6 and I will send out a deposition notice tomorrow.</p> <p>7 (Whereupon, at 3:40 P.M., the</p> <p>8 examination of this witness was concluded)</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 187</p> <p>1 Christian Holinka 243</p> <p>2 doing lab work at Hunter College?</p> <p>3 A No.</p> <p>4 Q Was there any asbestos material installed</p> <p>5 in any of the labs where you worked or did research or</p> <p>6 academic work at the University of California at</p> <p>7 Berkeley?</p> <p>8 A No.</p> <p>9 Q Were there any renovations underway in any</p> <p>10 of the classrooms or laboratory space where you</p> <p>11 studied or did research work or were employed at the</p> <p>12 University of California at Berkeley?</p> <p>13 A No.</p> <p>14 Q Were there any asbestos materials installed</p> <p>15 anywhere where you worked at Booth Hospital?</p> <p>16 A No.</p> <p>17 Q Was that lab renovated at all while you</p> <p>18 were working there?</p> <p>19 A No, it wasn't.</p> <p>20 MR. ABERNETHY: Bear with me just one</p> <p>21 second.</p> <p>22 Q Was there any substantial renovation work</p> <p>23 done while you were employed in any of the facilities</p> <p>24 where you worked when you were employed by the</p> <p>25 pharmaceutical companies that you mentioned earlier?</p>	<p style="text-align: right;">Page 189</p> <p>1 Christian Holinka 245</p> <p>2</p> <p>3 WITNESS CERTIFICATION</p> <p>4</p> <p>5 I have read the foregoing transcript of my</p> <p>6 testimony and find it to be true and accurate to</p> <p>7 the best of my knowledge and belief.</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

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CERTIFICATE OF NOTARY 247

I, CHERYL F. BAREN, a Stenotype Shorthand
Reporter and Notary Public within and for the State of
New York, do hereby certify that the within Continued
Examination Before Trial of CHRISTIAN HOLINKA was held
before me and I faithfully and impartially recorded
stenographically the questions, answers and colloquy.

I further certify that after said examination was
recorded stenographically by me, it was reduced to
typewriting under my supervision, and I hereby submit
that the within contents of said examination are true
and accurate to the best of my ability.

I further certify that I am not a relative of nor
an attorney for any of the parties connected with the
aforesaid examination, nor otherwise interested in the
testimony of the witness.

CHERYL F. BAREN